

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

## **ARTICLE 1. GENERAL**

### **R9-6-101. Definitions**

In this Chapter, unless otherwise specified:

1. “Active tuberculosis” means the same as in A.R.S. § 36-711.
- ~~4.~~2. No change (*“Administrator” means the individual who is the senior leader at a child care establishment, health care institution, correctional facility, school, pharmacy, or shelter.*
3. “Agency” means any board, commission, department, office, or other administrative unit of the federal government, the state, or a political subdivision of the state.
4. “Agent” means an organism that may cause a disease, either directly or indirectly.
- ~~2.~~5. No change (*“AIDS” means Acquired Immunodeficiency Syndrome.*
- ~~3.~~6. No change (*“Airborne infection isolation” means, in addition to use of Standard precautions, placement of a case in a private room or a cohort room with negative air-pressure ventilation and use of respiratory protection when in the room.*
- ~~4.~~7. No change (*“Approved test for tuberculosis” means a Mantoux skin test or other test for tuberculosis recommended by the Centers for Disease Control and Prevention or the Tuberculosis Control Officer appointed under A.R.S. § 36-714.*
8. “Arizona State Laboratory” means the portion of the Department authorized by Title 36, Chapter 2, Article 2, and A.R.S. § 36-132(A)(11) that performs serological, microbiological, entomological, and chemical analyses.
9. “Average window period” means the typical time between exposure to an agent and the ability to detect infection with the agent in human blood.
- ~~5.~~10. No change (*“Barrier” means a mask, gown, glove, face shield, face mask, or other membrane or filter to prevent the transmission of infectious agents and protect an individual from exposure to body fluids.*
- ~~6.~~11. “Body fluid” means semen, vaginal secretion, tissue, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid, amniotic fluid, urine, blood, lymph, or saliva.
- ~~7.~~12. No change (*“Carrier” means an infected individual without symptoms who can spread the infection to a susceptible individual.*
- ~~8.~~13. No change (*“Case” means an individual:*
  - a. ~~With a clinical syndrome of a~~ communicable disease whose condition is documented:

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

- i. No change (*By laboratory results that support the presence of the agent that causes the disease;*
    - ii. No change (*By a health care provider's diagnosis based on clinical observation; or*
    - iii. No change (*By epidemiologic associations with the communicable disease, the agent that causes the disease, or toxic products of the agent;*
  - b. No change (*Who has experienced diarrhea, nausea, or vomiting as part of an outbreak;*
  - c. No change (*Who has died without apparent cause within 48 hours after experiencing a fever; or*
  - d. No change (*Who has experienced a vaccinia-related adverse event.*
14. "Case definition" means the disease-specific criteria that must be met for an individual to be classified as a case.
15. "Chief medical officer" means the senior health care provider in a correctional facility or that individual's designee who is also a health care provider.
- ~~9-16.~~ No change (*"Child" means an individual younger than 18 years of age.*
- ~~10-17.~~ No change (*"Child care establishment" means:*
- a. No change (*A "child care facility," as defined in A.R.S. § 36-881;*
  - b. No change (*A "child care group home," as defined in A.R.S. § 36-897;*
  - c. No change (*A child care home registered with the Arizona Department of Education under A.R.S. § 46-321; or*
  - d. No change (*A child care home certified by the Arizona Department of Economic Security under A.R.S. Title 46, Chapter 7, Article 1.*
18. "Clinical signs and symptoms" means evidence of disease or injury that can be observed by a health care provider or can be inferred by the health care provider from a patient's description of how the patient feels.
- ~~11-19.~~ No change (*"Cohort room" means a room housing only individuals infected with the same agent and no other agent.*
- ~~12-20.~~ No change (*"Communicable disease" means an illness caused by an agent or its toxic products that arises through the transmission of that agent or its products to a susceptible host, either directly or indirectly.*
- ~~13-21.~~ No change (*"Communicable period" means the time during which an agent may be transmitted directly or indirectly:*
- a. No change (*From an infected individual to another individual;*

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

- b. No change (*From an infected animal, arthropod, or vehicle to an individual; or*
- c. No change (*From an infected individual to an animal.*
- ~~22.~~ “Confirmatory test” means a laboratory analysis, such as a Western blot analysis, approved by the U.S. Food and Drug Administration to be used after a screening test to diagnose or monitor the progression of HIV infection.
- ~~14.~~23. No change (*“Contact” means an individual who has been exposed to an infectious agent in a manner that may have allowed transmission of the infectious agent to the individual during the communicable period.*
- ~~15.~~24. No change (*“Correctional facility” means any place used for the confinement or control of an individual:*
  - a. No change (*Charged with or convicted of an offense,*
  - b. No change (*Held for extradition, or*
  - c. No change (*Pursuant to a court order for law enforcement purposes.*
- 25. “Court-ordered subject” means a subject who is ordered by a court of competent jurisdiction to provide one or more specimens of blood or other body fluids for testing.
- ~~16.~~26. No change (*“Dentist” means an individual licensed under A.R.S. Title 32, Chapter 11, Article 2.*
- ~~17.~~27. No change (*“Department” means the Arizona Department of Health Services.*
- 28. “Disease” means a condition or disorder that causes the human body to deviate from its normal or healthy state.
- ~~18.~~29. No change (*“Emerging or exotic disease” means:*
  - a. No change (*A new disease resulting from change in an existing organism;*
  - b. No change (*A known disease not usually found in the geographic area or population in which it is found;*
  - c. No change (*A previously unrecognized disease appearing in an area undergoing ecologic transformation; or*
  - d. No change (*A disease reemerging as a result of a situation such as antimicrobial resistance in a known infectious agent, a breakdown in public health measures, or deliberate release.*
- 30. “Entity” has the same meaning as “person” in A.R.S. § 1-215.
- ~~19.~~31. No change (*“Epidemiologic investigation” means the application of scientific methods to ascertain a diagnosis; identify risk factors for a disease; determine the potential for spreading a disease; institute control measures; and complete forms and reports such as communicable disease, case investigation, and outbreak reports.*

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

- ~~20.32.~~ No change (*"Fever" means a temperature of 101° F or higher.*
- ~~21.33.~~ No change (*"Food establishment" has the same meaning as in the document incorporated by reference in A.A.C. R9-8-107.*
- ~~22.34.~~ No change (*"Food handler" means:*
- a. No change (*A paid or volunteer full- or part-time worker who prepares or serves food or who otherwise touches food in a food establishment; or*
  - b. ~~A paid or volunteer full- or part-time worker who prepares or serves food or who otherwise touches food in a group setting other than a food establishment.~~
  - b. An individual who prepares food for or serves food to a group of two or more individuals in a setting other than a food establishment.
- ~~23.35.~~ No change (*"Foodborne" means that food serves as a mode of transmission of an infectious agent.*
- ~~24.36.~~ No change (*"Guardian" means an individual who is invested with the authority and charged with the duty of caring for an individual by a court of competent jurisdiction.*
- ~~25.37.~~ No change (*"HBsAg" means hepatitis B surface antigen.*
- ~~26.38.~~ No change (*"Health care institution" has the same meaning as in A.R.S. § 36-401.*
- ~~27.39.~~ No change (*"Health care provider" means a physician, physician assistant, registered nurse practitioner, or dentist.*
- ~~28.40.~~ No change (*"HIV" means Human Immunodeficiency Virus.*
- ~~29.41.~~ No change (*"HIV-related test" has the same meaning as in A.R.S. § 36-661.*
- ~~30.~~ ~~"Individual with infectious active tuberculosis" means a pulmonary or laryngeal tuberculosis case who has not:~~
- a. ~~Had three successive sputum smears, collected at least eight hours apart, at least one of which was taken first thing in the morning, test negative for acid-fast bacilli;~~
  - b. ~~Begun anti-tuberculosis treatment; and~~
  - c. ~~Experienced improvement in clinical signs and symptoms of active tuberculosis.~~
42. "Infected" means when an individual has an agent for a disease in the individual's body.
43. "Infectious active tuberculosis" means pulmonary or laryngeal active tuberculosis in an individual, which can be transmitted from the infected individual to another individual.
44. "Infectious agent" means an agent that can be transmitted to an individual.
- ~~31.45.~~ No change (*"Infant" means a child younger than 12 months of age.*
- ~~32.46.~~ No change (*"Isolate" means:*

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

- a. No change (*To separate an infected individual or animal from others to limit the transmission of infectious agents, or*
- b. No change (*A pure strain of an agent obtained from a specimen.*
- ~~33-47.~~ No change (*"Isolation" means separation, during the communicable period, of an infected individual or animal from others to limit the transmission of infectious agents.*
- 48. "Laboratory report" means a document that:
  - a. Is produced by a laboratory that conducts a test or tests on a specimen of a subject's blood or body fluid; and
  - b. Shows the outcome of each test, including personal identifying information about the subject.
- ~~34-49.~~ No change (*"Local health agency" means a county health department, a public health services district, a tribal health unit, or a U.S. Public Health Service Indian Health Service Unit.*
- ~~35-50.~~ No change (*"Local health officer" means an individual who has daily control and supervision of a local health agency or the individual's designee.*
- 51. "Medical examiner" means an individual:
  - a. Appointed as a county medical examiner by a county board of supervisors under A.R.S. § 11-591, or
  - b. Employed by a county board of supervisors under A.R.S. § 11-592 to perform the duties of a county medical examiner.
- 52. "Officer in charge" means the individual in the senior leadership position in a correctional facility or that individual's designee.
- ~~36-53.~~ No change (*"Outbreak" means an unexpected increase in incidence of a disease, infestation, or sign or symptom of illness.*
- ~~37-54.~~ No change (*"Parent" means a biological or adoptive mother or father.*
- 55. "Petition" means a formal written application to a court requesting judicial action on a matter.
- ~~38-56.~~ No change (*"Pharmacy" has the same meaning as in A.R.S. § 32-1901.*
- ~~39-57.~~ No change (*"Physician" means an individual licensed as a doctor of:*
  - a. No change (*Allopathic medicine under A.R.S. Title 32, Chapter 13;*
  - b. No change (*Naturopathic medicine under A.R.S. Title 32, Chapter 14;*
  - c. No change (*Osteopathic medicine under A.R.S. Title 32, Chapter 17; or*
  - d. No change (*Homeopathic medicine under A.R.S. Title 32, Chapter 29.*
- ~~40-58.~~ No change (*"Physician assistant" has the same meaning as in A.R.S. § 32-2501.*

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

59.     “Pupil” means a student attending a school, as defined in A.R.S. § 15-101.
- ~~41-60.~~   No change (*"Quarantine" means the restriction of activities of an individual or animal that has been exposed to a case or carrier of a communicable disease during the communicable period, to prevent transmission of the disease if infection occurs.*
- ~~42-61.~~   No change (*"Registered nurse practitioner" has the same meaning as in A.R.S. § 32-1601.*
- ~~43-62.~~   "Respiratory protection" means a ~~fit-tested~~ device, designed to protect the wearer against inhalation of a hazardous atmosphere, that is at least as protective as a National Institute for Occupational Safety and Health-approved N-95 respirator.
63.     “Risk factor” means an activity or circumstance that increases the chances that an individual will become infected with or develop a communicable disease.
- ~~44-64.~~   No change (*"School" means:*
- a.     No change (*An "accommodation school," as defined in A.R.S. § 15-101;*
- b.     No change (*A "charter school," as defined in A.R.S. § 15-101;*
- c.     No change (*A "private school," as defined in A.R.S. § 15-101;*
- d.     No change (*A "school," as defined in A.R.S. § 15-101;*
- e.     No change (*A college or university;*
- f.     No change (*An institution that offers a "private vocational program," as defined in A.R.S. § 32-3001; or*
- g.     No change (*An institution that grants a "degree," as defined in A.R.S. § 32-3001, for completion of an educational program of study.*
65.     “Screening test” means a laboratory analysis approved by the U.S. Food and Drug Administration as an initial test to indicate the possibility that an individual is HIV infected.
- ~~45-66.~~   No change (*"Shelter" means:*
- a.     No change (*A facility or home that provides "shelter care," as defined in A.R.S. § 8-201;*
- b.     No change (*A "homeless shelter," as defined in A.R.S. § 16-121; or*
- c.     No change (*A "shelter for victims of domestic violence," as defined in A.R.S. § 36-3001.*
67.     “Significant exposure” means the same as in A.R.S. § 32-3207.
- ~~46-68.~~   No change (*"Standard precautions" means the use of barriers by an individual to prevent parenteral, mucous membrane, and nonintact skin exposure to body fluids and secretions other than sweat.*

**Draft 7/6/07 – New text is underlined, deleted text has a strikeout, and unchanged text has neither. Italicized text is included for the convenience of the reader, but will not be in the Proposed or Final rulemaking.**

~~47.~~69. “Subject” means an individual whose blood or other body fluid has been tested or is to be tested.

70. “Submitting entity” means the same as in A.R.S. § 13-1415.

~~48.~~71. No change (*"Suspect case" means an individual whose medical history, signs, or symptoms indicate that the individual:*

- a. No change (*May have or is developing a communicable disease;*
- b. No change (*May have experienced diarrhea, nausea, or vomiting as part of an outbreak;*
- c. No change (*May have died without apparent cause within 48 hours after experiencing a fever; or*
- d. No change (*May have experienced a vaccinia-related adverse event.*

~~49.~~72. “Syndrome” means a pattern of signs and symptoms characteristic of a ~~specific~~ disease.

73. “Test” means an analysis performed on blood or other body fluid to evaluate for the presence or absence of a disease.

74. “Test results” means information about the outcome of a laboratory analysis of a subject’s specimen and does not include personal identifying information about the subject.

75. “Treatment” means a procedure or method to cure, improve, or palliate an illness or a disease.

76. “Tuberculosis control officer” means the same as in A.R.S. § 36-711.

~~50.~~77. No change (*"Unexplained death with a history of fever" means the demise of an individual who has had a fever within 48 hours before death and whose illness has not been diagnosed at the time of death.*

~~51.~~78. No change (*"Vaccinia-related adverse event" means any of the reactions described in Exhibit I-A.*

79. “Victim” means an individual on whom another individual is alleged to have committed a sexual offense, as defined in A.R.S. § 13-1415.

~~52.~~80. “Viral hemorrhagic fever” means disease characterized by fever and hemorrhaging and caused by ~~an Arenavirus, a Bunyavirus, a Filovirus, a Flavivirus, or another~~ a virus.

~~53.~~81. No change (*"Waterborne" means that water serves as a mode of transmission of an infectious agent.*

~~54.~~82. No change (*"Working day" means the period from 8:00 a.m. to 5:00 p.m. on a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a state holiday.*